

OCT 23 2009

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

JOHN F. CORCORAN, CLERK
BY: *J. Turk*
DEPUTY CLERK

UNITED STATES OF AMERICA

CASE NO. 1:04-cr-00067-1

v.

2255 FINAL ORDER

CECIL EDWARD WAMPLER, JR.

**By: Hon. James C. Turk
Senior United States District Judge**

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED

that the above referenced motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED without prejudice as successive** and the case is **STRICKEN** from the active docket.

ENTER: This 23rd day of October, 2009.

James C. Turk

Senior United States District Judge